

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CRAIG HENRY,)
Plaintiff,) Civil Action No. 05 - 648
v.) Judge David S.Cercone /
HARRY E. WILSON, Superintendent; CAROL) Magistrate Judge Lisa Pupo Lenihan
A. SCIRE, Grievance Coordinator; MR. REID,)
BA-Unit Manager; MS. CLEVELAND, BA-Unit)
Counselor; MARY ANN MISTRIK, Hearing)
Examiner; MS. KERRI CROSS, Hearing)
Examiner; LAUREZ R. HARRY, Program)
Review Committee; BRADLEY NEWTON,)
Program Review Committee; PSYCHIATRIST)
SAAVEDRA, Medical Psychiatrist; STEVE)
BENKO, Program Review Committee,)
Defendants.)

ORDER

Pursuant to discussions during a conference held on October 18, 2006, **IT IS**
HEREBY ORDERED that an evidentiary hearing will be held at SCI-Fayette on November 27,
2006 at 10am. Testimony will be heard on the issue of Plaintiff's request to be single celled due to
his alleged prior sexual assault that occurred while incarcerated, the reasons behind Defendants'
decisions to continue to double cell Plaintiff, including testimony regarding his alleged mental health
injuries resulting from the continued double celling. Testimony will be heard from Plaintiff, from
a mental health professional familiar with Plaintiff's condition who has examined Plaintiff and can
testify regarding his alleged mental health related need to be single celled, from an institutional

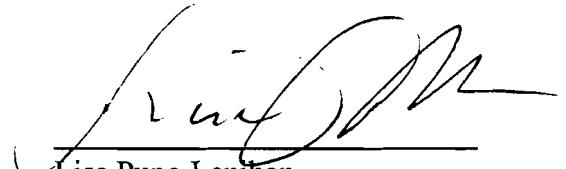
representative who can explain the policy behind single and double celling and any other testimony defendants believe will further elucidate Plaintiff's claims presently pending before this court.

IT IS FURTHER ORDERED that costs for the transcription of the proceeding shall be born by Defendants. The Court will provide a court reporter unless it is notified in writing prior to November 24th that the defendants will ensure the appearance of a court reporter.

IT IS FURTHER ORDERED that the Plaintiff and counsel should be prepared to discuss, although not provide testimony on, the Plaintiff's pending motion for leave to file requests for admissions directed toward Defendant Saavedra, docket number 52, filed on October 19, 2006.

AND IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

Nov. 6, 2006



Lisa Pupo Lenihan
U.S. Magistrate Judge

cc: Craig Henry
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SCI Fayette
Box 9999
LaBelle, PA 15450-0999

Counsel of Record